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DOCKET NO.: 3802-123-27

ASSISTANT COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

Re: Serial No.: 10/824,796
Applicant(s): Michael KADAN, et al.
Filing Date: April 14, 2004
For: METHOD FOR PRODUCTION OF ONCOLYTIC ADENOVIRUSES
Group Art Unit: 1646
Examiner:

SIR:

Attached hereto for filing are the following papers:

Information Disclosure Statement
International Search Report
Form PTO-1449
Cited Documents (5)

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

DLA PIPER RUDNICK GRAY CARY U.S. LLP

REG. NO. 47,256

Steven B. Kelber
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FOR

Linda R. Judge
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION: Michael KADAN, et al.
 SERIAL NUMBER: 10/824,796
 FILED: April 14, 2004
 FOR: METHOD FOR PRODUCTION OF THERAPEUTIC ADENOVIRUSES

GROUP ART UNIT: 1646

EXAMINER:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97

Assistant Commissioner for Patents
 PO BOX 1450
 ALEXANDRIA, VA 22313-1450

Sir:

Applicant(s) wish(es) to disclose the following information.

REFERENCES

- Applicant(s) wish(es) to make of record the documents listed on the attached International Search Report and Form PTO-1449. Copies of the listed documents are attached, where required, as are either statements of relevancy or any readily available full or partial English translations of any non-English-language documents.

RELATED CASES

- Attached is a list of Applicant's(s') pending applications and issued patents which may be related to the present application. Copies of the documents, where required, are attached along with Form PTO-1449.

CERTIFICATION

The undersigned certifies that

- each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign or international patent office in a counterpart foreign or international application for the first time (to the knowledge of the undersigned, having made reasonable inquiry) not more than three months prior to the filing of this statement.
- no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign or international patent office in a counterpart foreign or international application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement.

BASIS FOR CONSIDERATION

This Information Disclosure Statement is filed:

- without fee and within three months of the filing date of the application.
- without fee and within three months of the date of entry of the U.S. national stage.
- without fee and before the mailing date of a first Office Action on the merits (to the knowledge of the undersigned).
- without fee and with the appropriate certification above.
- without fee and with a new CPA application.
- without fee and with a Request for Continued Examination.
- with fee and before the mailing date of any Final Office Action, Notice of Allowance or an action that otherwise closes prosecution (to the knowledge of the undersigned).
- with fee, appropriate certification above, and before payment of the Issue Fee.

DEPOSIT ACCOUNT

- Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 50-1442.

Respectfully submitted,

DLA PIPER RUDNICK GRAY CARY U.S. LLP

[Signature] REG. NO. 47,258
 Steven B. Kelber
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Form PTO 1449 (Modified)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	DOCKET NO.	SERIAL NO.
		3802-123-27	10/824,796
LIST OF REFERENCES CITED BY APPLICANT (Use Several Sheets if Necessary)		APPLICANT	
		Michael KADAN, et al.	
		FILING DATE	GROUP ART UNIT
		April 14, 2004	1646

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	2001/0053352	12/20/01	YU et al.			
	AB	5,689,433	12/16/97	KISTNER et al.			
	AC	5,871,726	02/16/99	HENDERSON et al.			
	AD	5,998,205	12/07/99	HALLENBECK et al.			
	AE	6,432,700	08/13/02	HENDERSON et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO
	AF				
	AG				
	AH				
	AI				
	AJ				

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

AP	Wu, et al., "Incorporation of Adenovirus into a Ligand-based DNA Carrier System Results in Retention of Original Receptor Specificity and Enhances Targeted Gene Expression", Journal of Biological Chemistry, Vol. 269, No. 15, pp. 11542-1546, 1994.
AQ	Sato, et al., "Enhanced and Specific Gene Expression via Tissue-Specific Production of Cre Recombinase Using Adenovirus Vector", Biochemical and Biophysical Research Communications, Vol. 244, pp. 455-462, 1998.
AR	American Type Culture Collection (ATTC) Website, ATTC Number CCE - 2.2, Designation HeLa S3, 2004.
AS	Gorziglia, et al., "Generation of an Adenovirus Vector Lacking E1, E2a, E3, and All of E4 except Open Reading Frame 3", Vol. 73, No. 7, Journal of Virology, pp. 6048-6055, 1999.
AT	Burger, et al., "Local and systemic effects after adenoviral transfer of the murine granulocyte-macrophage colony-stimulating factor gene into mice", British Journal of Haematology, Vol. 108, pp. 641-652, 2000.

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.